

JUDGE DANIELS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WILLIAM D. JOHNSON,

Plaintiff,

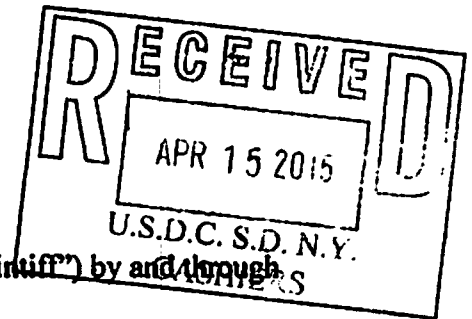
-against-

THE CITY OF NEW YORK, JOHN and JANE
DOE 1-3,

Defendants.
-----X

COMPLAINT

Jury Trial



Plaintiff WILLIAM D. JOHNSON (hereinafter "Plaintiff") by and through

his attorney, Vik Pawar, Esq., respectfully alleges as follows:

PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, punitive damages and attorney's fees pursuant to 42 U.S.C. §§1983 and 1988 for violations of his civil rights, as secured by statutes and the Constitution of the State of New York and the United States.

JURISDICTION

2. The action is brought pursuant to 42 U.S.C. §§1981, 1983, and 1988, and the Fourth and Fourteenth Amendments to the United States and New York Constitutions.

3. Jurisdiction is found upon 28 U.S.C. §§1331 and 1343.

VENUE

4. Venue is properly laid in the Southern District of New York under 28 U.S.C. § 1391(b), in that it is the District in which the claim arose.

JURY DEMAND

5. Plaintiff respectfully demands a trial by jury of all issues in the matter pursuant to Fed. R. Civ. P. 38 (b).

PARTIES

7. Plaintiff is a citizen of the United States, and at all relevant time resident in the County of New York, State of New York.

8. Defendant City of New York is a municipality formed within the laws and constitution of the State of New York.

9. Defendants John and Jane Does are officers with the NYPD at the time when plaintiff's claims arose. They are sued in their individual, supervisory and official capacities.

FACTS

10. On January 7, 2014 ("date of incident"), plaintiff resided with his sister and mother in the Morningside Section of Manhattan.

11. 10. Plaintiff had just dropped off his girlfriend when he arrived home.

12. After plaintiff parked his car and proceeded to go upstairs, he was stopped by John Doe defendants who were on foot patrol.

13. John Doe defendants told plaintiff to "get back in the car and to close the door."

14. John Doe defendant accused plaintiff of driving under the influence.

15. Plaintiff informed them that he had just come back from dropping off his girlfriend and he was not under the influence.

16. Despite the fact that John Does had no probable cause to arrest plaintiff, they arrested plaintiff and took him to the precinct.

17. At the precinct, Highway Patrol Division of the NYPD were called.

18. The Highway patrol Division informed the John Doe defendants that plaintiff passed driving under the influence test and that should release him.

19. Despite having no probable cause or reason to believe that plaintiff was under the influence and despite one of their own units verifying this fact, the John Doe defendants made plaintiff go through the "system."

20. Plaintiff was finger-printed, booked and take to central booking where he stayed for over 20 hours before he was released.

21. Plaintiff made over 6 appearances in court before the charges against him were dismissed by the DA on October 7, 2014.

AS AND FOR A FIRST CAUSE OF ACTION
(False arrest-Fourth Amendment)

22. Plaintiff repeats, reiterates, and realleges each and every allegation in the foregoing paragraphs with the same force and effect as if fully set forth herein.

23. Plaintiff was stopped after he had exited his vehicle and was walking up the stairs of his home.

24. Defendants had no cause or probable cause to detain plaintiff.

25. Even after plaintiff passed the DUI test administered by the Highway patrol, defendants still continued plaintiff's detention for over 20 hours.

26. As a result of the aforementioned conduct of Defendants, Plaintiff's constitutional right to be free from excessive force, false arrest and assault were violated and he sustained physical, economic and emotional injuries.

AS AND FOR A SECOND CAUSE OF ACTION
(Deprivation of Rights under 14th Amendment-Due Process against All defendants)

27. Plaintiff repeats, reiterates, and realleges each and every allegation in the foregoing paragraphs with the same force and effect as if fully set forth herein.

28. The Defendants' conduct herein was an abuse of executive power so clearly unjustified by any legitimate objective of law enforcement as to be barred by the Fourteenth Amendment. The actions by Defendants deprived the substantive and procedural due process afforded to Plaintiff and was in violation of Plaintiff's constitutional rights under the Fourth and Fourteenth Amendments.

29. Defendants initiated false and baseless proceedings against plaintiff.

30. Defendants knew that if they forwarded the false information to the DA's office, plaintiff would be prosecuted.

31. Yet defendants never retracted their false paperwork and continued the prosecution based on malice.

32. The proceedings were terminated in plaintiff's favor.

33. As a result of the foregoing, Plaintiff was deprived of his liberty and property interests and right to procedural and substantive due process.

AS AND FOR A THIRD CAUSE OF ACTION
(Denial of Right to Fair Trial)

34. Plaintiff repeats, reiterates, and realleges each and every allegation in the foregoing paragraphs with the same force and effect as if fully set forth herein.

35. Defendants arrested plaintiff on a bogus charge of DUI.

36. Defendants falsified paperwork and forwarded them to the DA's office for plaintiff's prosecution.

37. The false fabricated charge denied plaintiff the right to a fair trial or a hearing. As a result of defendants' conduct, plaintiff suffered injuries.

WHEREFORE, the Plaintiff requests that this Court:

- a. Award compensatory damages to the Plaintiff against the Defendants, jointly and severally, in the amount of One Hundred Thousand Dollars for each and every cause of action.
- b. Award the costs of this action to the Plaintiff.
- c. Award reasonable attorneys fees to the Plaintiff under 42 U.S.C. Section 1988 and/or any other applicable laws.
- d. Award punitive damages as determined by the jury.
- e. Award such other and further relief as this Court may deem appropriate.

Dated: New York, New York
April 18, 2015

PAWAR LAW GROUP P.C.
20 Vesey Street, Suite 1210
New York, New York 10007
(212) 571-0805

By: 

Robert Blossner (RB0526)
Attorneys for Plaintiff

CONFIDENTIAL - SECURITY INFORMATION

11/11/2013 9:00:00 AM

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10. The Commission has been informed that the Government of the Republic of Armenia has agreed to accept the findings of the Commission's investigation and to take the necessary measures to ensure that the rights of the victims are protected and that the perpetrators are held accountable.

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know if the study was successful in achieving its objectives and if the results are consistent with the hypotheses. They also want to know if the study was conducted in a rigorous and ethical manner.

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WILLIAMSON, the Plaintiff, deposes that the above is a true and correct copy of the original document.

of Attorney General, Secretary of Defense, and the President's Council on Economic Advisors.

and the H_2O content of the polymer was determined by thermogravimetric analysis (TGA) under a nitrogen atmosphere. The H_2O content was determined by the weight loss of the polymer sample during the TGA process. The H_2O content of the polymer was determined by the weight loss of the polymer sample during the TGA process.

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1. The first of these is the fact that the Commission has not yet received any information from the Government of the Republic of the Congo regarding the situation in the country.

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